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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 JOSHUA GERSTEIN,) Case No. C 06-04643 MMC
23 Plaintiff,)
24 v.)
25 CENTRAL INTELLIGENCE AGENCY,)
26 et al.,)
27 Defendant.)
28

**STIPULATION TO EXTEND
DEFENDANTS' BRIEFING DEADLINE
FOR FILING REPLY IN SUPPORT OF
RENEWED MOTION FOR SUMMARY
JUDGMENT ; ORDER THEREON**

29 The parties hereby stipulate to a one-week extension of the deadline for defendants' reply
30 in support of renewed motion for summary judgment, set pursuant to the Court's January 6, 2009.
31 The bases for this stipulation are as follows:

32 1. On February 6, 2009, plaintiff filed not only his opposition to defendants' renewed
33 motion for summary judgment, but also a motion to modify stipulation and order dismissing
34 certain pending claims and a motion for partial summary judgment against defendant Central
35 Intelligence Agency. Pursuant to the January 6 Order, defendants were to file the reply as to the

renewed motion for summary judgment by February 20, 2009.

1 2. Since receipt of plaintiff's papers, defendants' counsel has been coordinating the
2 government's responses thereto. In addition to being busy with other cases and matters to which
3 she is assigned, government counsel has not yet received all of the information necessary for
4 preparation of the reply from the Office of Professional Responsibility. Therefore, a one-week
5 extension is necessary in order to submit a complete and appropriate reply brief. Defendants also
6 will file their responses to plaintiff's two motions on the same date.

7 3. Plaintiff stipulates to the request for a one-week extension of time, or until February 27,
8 2009, for defendants to file their papers.

9 Accordingly, the parties stipulate to extend the defendants' briefing deadline by one week,
10 or until February 27, 2009.

11 Respectfully submitted,

12 JOSHUA GERSTEIN

13 MICHAEL F. HERTZ
Acting Assistant Attorney General

14
15 /s/
16 Plaintiff

17 /s/
18 Carlotta P. Wells
Senior Trial Counsel
United States Department of Justice
Civil Division
Federal Programs Branch

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20 Dated: February 19, 2009

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22 Dated: February 19, 2009

~~PROPOSED~~ ORDER

1 Upon consideration of the parties' stipulation, the briefing deadline set by the January 6,
2 2009 Order is extended by one week, to reflect that defendants' reply in support of their renewed
3 motion for summary judgment is due no later than February 27, 2009.

4 PURSUANT TO STIPULATION, IT IS SO ORDERED.
5

6 Dated: February 20, 2009

7 
MAXINE M. CHESNEY
United States District Judge